

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
Philadelphia Division**

IDELL DEARRY, <i>et al.</i>,)	
)	
Plaintiffs,)	
)	
v.)	
)	Civil Action No. 2:21-cv-02548 (MAK)
SOAREN MANAGEMENT, LLC, <i>et al.</i>)	
)	
Defendants.)	
)	

DECLARATION OF ANDREW DUNN

I, Andrew Dunn, hereby declare as follows pursuant to 28 U.S.C. § 1746:

1. I am over 18 years old and am competent to make this Declaration.
2. I have personal knowledge of the facts stated in this Declaration, and I could and would competently testify to them in a court of law.
3. I am a resident of the State of Nevada.
4. I do not own property in Pennsylvania.
5. I do not regularly travel to Pennsylvania and was last there approximately three years ago on a layover between airplane flights.
6. I am the manager of Kraken Holdings, LLC (“Kraken”).
7. Kraken is a Minnesota limited liability company whose principal place of business is located in Phoenix, Arizona.
8. Kraken’s only office is located in Arizona, and any day-to-day activities take place in Arizona.
9. All documents related to Kraken’s operations are located at its office in Arizona.
10. Kraken has no offices in Pennsylvania.

11. Kraken has no employees in Pennsylvania.
12. Kraken has no employees, officers, or directors in Pennsylvania.
13. Kraken does not market its services, solicit business, or advertise in Pennsylvania.
14. Kraken does not communicate with any Pennsylvania consumers.
15. Kraken does not engage in the business of making consumer loans.
16. Kraken has never advertised consumer loans products, never offered consumer loan products, never serviced consumer loan products, never been a counterparty on consumer loan products, including as to Plaintiffs, and has never collected debts owed on consumer loan products.
17. I was the chief executive officer of Soaren Management, LLC (“Soaren”), a Delaware limited liability company whose principal place of business was located in Phoenix, Arizona.
18. On or about June 1, 2020, Soaren entered into a merger agreement with Pinnacle Acquisitions, LLC (“Pinnacle”), a limited liability company formed by the Big Valley Band of Pomo Indians of the Big Valley Rancheria, a federally-recognized Indian tribe (“BVR”).
19. Pursuant to the merger agreement, Soaren merged into Pinnacle, and Pinnacle is the surviving company.
20. Pursuant to the merger, Pinnacle filed a Certificate of Merger of a Domestic Limited Liability Company into a Foreign Limited Liability Company (the “Certificate”) with the Delaware Secretary of State. A true and correct copy of the Certificate is attached as **Exhibit 1**.
21. The Certificate confirms that Soaren merged into Pinnacle, and that Pinnacle is the surviving company.
22. As a result of the merger, Soaren no longer exists as a company. Pinnacle is the surviving entity.


23. Unless travelling for business, I performed my work for Soaren in Arizona.

24. I have not personally met, contacted, spoken with, or had any interactions of any kind with the named Plaintiffs in the above captioned matter: Idell Dearry and Penny Green.

[Signature on the Following Page]

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury under the laws of the United States that the foregoing statements are true and correct to the best of my personal knowledge.

Executed on September 24, 2021.



Andrew Dunn